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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,000	01/22/2002	Frank J. Snow		7785

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EXAMINER
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VIG, NARESH

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/051,000	SNOW, FRANK J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Naresh Vig	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20020409</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

Claim 2 is objected to because of the following informalities:

Last element of claim 2 recites "... Is divided into four radical sections of similar size; and" following which is the beginning of claim 3. Applicant reads the last element of claim 2 as "... Is divided into four radical sections of similar size;". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over MoonShop.com in view of "Modern Real Estate Practice" by Galaty et al. hereinafter known as Galaty.

Regarding claims 1 and 10, MoonShop teaches system and method of compiling information about a lunar or other planetary land property on a computer readable storage medium using a computer or programmable apparatus having a processor and a memory (offers lunar real estate over the internet) [page 10]. MoonShop teaches subdividing property [page 10]. MoonShop provides access to information to its users over the internet). [page 2 – 10]. It is a design choice to decide what technology to use for implementing the system to meet business requirements. MoonShop does not teach establishing a subdivision of the planetary land property of an entire planetary globe in accordance with four decreasing element size categories: region, section, block and parcel. However, Galaty teaches establishing a subdivision of the planetary land property of an entire planetary globe (USA) in accordance with four decreasing element size categories: region, section, block and parcel [Galaty page 130 – 143].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow competent surveyor to locate the parcel of land.

MoonShop in view of Galaty teaches:

defining each element by boundary lines of Longitude and Latitude [MoonShop page 10], and corner locations of each element in terms of Latitude and Longitude [MoonShop page 10];

establishing a concept of a Deed of Claim as a document for identifying a boundary and location of a parcel of the planetary land property and an owner of the deed [MoonShop page 5];

establishing a concept wherein the document derives its value to the owner by having a utility for use as a basis for requesting the U.S. Government for ownership of the described property if and when the government chooses to claim planetary land territory and subsequently chooses to conduct a program of land grants [MoonShop page 2]; and

establishing a concept of a business entity which applies the compiled information to the manufacture and assembly of a documentation package for sale to parties having an interest in owning a Deed of Claim and related maps and photographs for a planetary land property, wherein such interest could be based on factors ranging from education and entertainment to potential ownership of the described planetary land property at some future time (business choice of establishing the contents of package) [MoonShop page 3] ;

establishing a computer-readable database with a single database format on the computer-readable storage medium (design choice of implementing the computer system to meet business requirements);

receiving textual information on the planetary land property [MoonShop page 3];

receiving a large area image of the planetary land property [MoonShop page 3, 10];

receiving a local image of the planetary land property [MoonShop page 2 – 10];

receiving at least one parameter indicating a portion of the large area image corresponding to the local area image [MoonShop page 10]; and

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compiling the textual information, the large area image, the local area image, and the at least one parameter into the computer-readable database [MoonShop page 2 – 10].

Regarding claim 2, MoonShop in view of Galaty teaches plurality of ways of subdividing a piece of land. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to elect how to subdivide a piece of land. For example, a business may elect to have subdivision with cul-de-sac or rectangular design of blocks as commonly seen in large cities etc. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that MoonShop in view of Galaty can be modified to implement the subdivision of land as proposed by the applicant [Galaty page 135 – 139].

Regarding claim 3, MoonShop in view of Galaty teaches Deed of Claim for a lunar parcel is a document. (Document including the specific text and constructed in specific format is an design choice). MoonShop in view of Galaty is capable of generating Deed Of Claim to meet specific needs of business [MoonShop page 5]

Regarding claims 4 and 11, MoonShop in view of Galaty teaches computer includes a display device, and wherein receiving textual information for the planetary land property includes:

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displaying a data entry template on the display device, the data entry template containing a plurality of fields [MoonShop page 10];

receiving a signal to select one of the fields [MoonShop Page 10]; and

receiving textual data for the one of the fields [MoonShop page 2 – 10].

Regarding claims 5 and 12, MoonShop in view of Galaty teaches receiving a local area image includes receiving a plurality of local area images [MoonShop page 10]. MoonShop teaches:

receiving a first signal to select one of the plurality of local area images [MoonShop page 10];

receiving a second signal to select the portion of the large area image corresponding to the one of the local area images [MoonShop page 10];

determining a plurality of coordinates which define the portion of the large area image based upon the second signal [MoonShop page 10]; and

wherein compiling includes compiling the plurality of local area images and the plurality of coordinates into the computer-readable database (design choice of deciding how to compile images).

Regarding claims 6 and 13, MoonShop in view of Galaty teaches receiving a site image of at least a portion of the planetary land property [MoonShop page 10],

wherein compiling includes compiling the site image into the computer-readable database (design choice of deciding how to compile images).

Regarding claims 7 and 14, MoonShop in view of Galaty teaches textual information, the large area image, the local area image, and the at least one parameter are stored as a single relational record in the computer-readable database (MoonShop teaches providing access to users over the internet, and, it is a design choice to decide what technology to use for providing system and method to users over a computer network).

Regarding claims 8 and 15, MoonShop in view of Galaty teaches portion of the large area image includes a framed view of the planetary land property (design choice to decide how to paint the computer screen to present the information to the user), and wherein the local area image is of a feature of the planetary land property through the framed view [MoonShop page 10].

Regarding claims 9 and 16, MoonShop in view of Galaty teaches information about the planetary land property is contained in a single file on the computer-readable storage medium (MoonShop teaches using computer system to provide information to users over the internet, and, it is a design choice to decide on the file structure to store the information in a computer system).

Regarding claim 17, MoonShop teaches system and method of doing business (selling land on planetary system). MoonShop teaches:



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developing, producing, assembling, and offering for sale a documentation package covering a lunar land property parcel [MoonShop page 3]. Contents of the documentation in the package is a business choice. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that MoonShop is capable for providing contents on documentation as desired by a business.

MoonShop does not teach developing a plan of subdivision of the lunar globe into a decreasing size sequence of regions, sections, blocks and parcels. However, Galaty teaches system and method for subdivision of the land into a decreasing size sequence or regions, sections, blocks and parcels [Galaty, page 130 – 143]. As responded to earlier in response to claim 1, it is a business choice to decide how to subdivide the property. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that MoonShop in view of Galaty is capable of subdivision of land to meet requirements of a business.

MoonShop in view of Galaty teaches:

establishing the use of map and photographic imagery, in paper and/or digital electronic form, as part of the documentation package, that have been determined to be publicly available from the U.S. Government [MoonShop page 2 – 10];

establishing a computer-useable database, herein defined as a Master Map and Chart Set of the Lunar Tract, of all parcel locations, as determined from lunar subdivision into the area sequence of regions, sections, blocks, and parcels (design

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choice to decide what technology to use for implement a system to meet requirements of a business);

establishing an inventory of individual lunar parcels, to be drawn from the above parcel locations database [MoonShop page 2 – 10];

establishing the offering for sale of a documentation package for individual lunar parcels [MoonShop page 2 – 10];

establishing a computer-useable registry, defined herein as the Lunar Claim Registry, whose uses will include that of maintaining a record of original ownership of a Deed of Claim, and any subsequent ownership of the deed where such information is made available to the registry operator [MoonShop page 2 – 33];

establishing the use of copyright protection of the Lunar Claim Registry, with its Deed of Claim ownership data contents, as a method for achieving data storage in the U.S. Archives (business choice) [MoonShop page 2 – 10];

establishing an organization of members, in the form, for example, of a Lunar Claim Society, whose focus is the provision of information of common interest to Deed of Claim owners [MoonShop page 3 – 4];

Regarding claim 18, MoonShop in view of Galaty teaches operations are applied to a planetary land property parcel where such planetary land has been subject to a program of exploration and survey by the U.S. Government (Galaty teaches survey of land) [Galaty page 355 – 356].

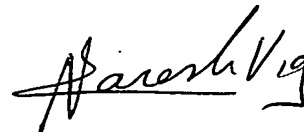
**Conclusion**

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naresh Vig  
Patent Examiner  
March 19, 2005